



## COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

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February 13, 2014

Tom Simons  
US Environmental Protection Agency  
EPA West Building  
National Program Chemicals Division  
1200 Pennsylvania Avenue NW  
Mail Code 7404T  
Washington, DC 20460

RE: Reassessment of PCB Use Authorizations

Dear Mr. Simons:

The Columbia River Inter-Tribal Fish Commission (CRITFC) appreciates that the EPA has proposed to end some of the authorized uses of polychlorinated biphenyls (PCBs). There are over 20,000 enrolled citizens within CRITFC's member tribes, and persistent bioaccumulative toxics such as PCBs are of great concern because they have made their way into the aquatic food chain that sustains the fishery resource, which is central to our culture and way of life.

Three months ago, the Oregon Health Authority and the Washington Department of Health issued a fish consumption advisory for the mid-Columbia River because of PCB contamination. This was devastating news for all of the tribes that live and rely upon the resources provided by this river. Our fishery now joins over 5,500 water bodies in the United States that are impaired because of PCBs, according to the EPA Watershed Assessment, Tracking and Environmental Database.

The PCB Use Authorization rulemaking that has been proposed could result in the early retirement of the largest contained sources of PCBs and we appreciate that progress is finally being made to address these sources of PCBs. However, more must be done to eliminate PCBs from commercial products as well. In the December 20, 2013 letter from Wendy Cleland-Hamnett to CRITFC (attached), your agency states that reconsideration of the 50 parts per million level for excluded PCB products will require substantial and lengthy analytical efforts. Today, we have a great deal of evidence that supports the need to take action to reduce or eliminate as many sources of PCBs as possible. For example, a recent study done by King County, Washington's Water and Land Resources Division<sup>1</sup>, on Lake Washington shows that a total load reduction of 85% will be required to reach safe levels in fish tissue based on Department of Health 46 ppb fillet recommendation. This documented study is an example of

<sup>1</sup> <http://www.ecy.wa.gov/programs/swfa/pbt/docs/pcb2-KingCountyPCBStudies.pdf>

the challenges faced by the resource managers of waterbodies that are impaired by PCB contamination.

In addition to these challenges, states and tribes in the Pacific Northwest have established, or are in the process of establishing, human health criteria based water quality standards that more accurately consider tribal fish consumption. Oregon now has surface water quality standards of 175 grams per day. The states of Washington and Idaho are both in the process of developing more stringent water quality standards that will account for tribal fish consumption patterns. In December 2013, the EPA approved the Spokane Tribe's fish consumption rate of 865 grams per day for establishing the human health criteria for on reservation surface water quality standards. Compliance with these EPA-approved standards will be nearly impossible until the PCB problem is adequately addressed.

Continued reliance on 30 year old regulations is obviously not working to keep our fishery resources safe for human consumption. Now is time for EPA to develop a new comprehensive strategy and action plan for addressing the national problem of PCB contamination of our nation's waters. I appreciate EPA taking a first step in preventing future releases of PCBs from enclosed containers, but we ask that this not be the only step that EPA takes in helping us in protecting the Columbia River.

Thank you for considering our comments and suggestions. If you have any further questions please contact me or Aja DeCoteau at 503-238-0667.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Paul Lumley".

Babtist Paul Lumley  
Executive Director

Attachment

Cc: Wendy Cleland-Hamnett, Director, EPA Office of Pollution Prevention and Toxics  
Nancy Stoner, Acting Assistant Administrator, EPA Office of Water  
Dennis McLerran, Administrator, EPA Region 10  
Jim Woods, Tribal Liaison, EPA Region 10